

109TH CONGRESS  
2D SESSION

# H. R. 5467

To amend title 38, United States Code, to establish criminal penalties for the unauthorized disclosure of records containing personal information about veterans.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2006

Mrs. DRAKE introduced the following bill; which was referred to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To amend title 38, United States Code, to establish criminal penalties for the unauthorized disclosure of records containing personal information about veterans.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Identity Se-  
5 curity Act of 2006”.

1 **SEC. 2. CRIMINAL PENALTIES FOR UNAUTHORIZED DIS-**  
2 **CLOSURE OF RECORDS ABOUT VETERANS.**

3 (a) IN GENERAL.—Chapter 57 of title 38, United  
4 States Code, is amended by inserting after section 5705  
5 the following new section:

6 **“§ 5706. Unauthorized disclosure of records con-**  
7 **taining personal information about vet-**  
8 **erans**

9 “(a) OFFENSE.—(1) Any person described in sub-  
10 section (b) who other than as authorized by section 5901  
11 of this title or as otherwise authorized by law knowingly  
12 discloses, or causes the disclosure of, records specified in  
13 subsection (c) with intent to sell, transfer, or use personal  
14 information contained in the disclosed records for commer-  
15 cial advantage, personal gain, or malicious harm shall be  
16 fined as provided in title 18, imprisoned not more than  
17 10 years, or both.

18 “(2) Any person described in subsection (b) who  
19 other than as authorized by section 5901 of this title or  
20 as otherwise authorized by law knowingly discloses, or  
21 causes the disclosure of, records specified in subsection (c)  
22 in a case not covered by paragraph (1) shall be fined as  
23 provided in title 18, imprisoned not more than one year,  
24 or both.

25 “(b) COVERED PERSONS.—A person described in this  
26 subsection is any of the following:

1           “(1) An officer or employee of the Department.

2           “(2) A contractor or employee of a contractor  
3 of the Department.

4           “(3) A volunteer of the Department.

5           “(c) SPECIFIED RECORDS.—Records specified in this  
6 subsection are records of the Department that are covered  
7 by section 5701(a) of this title and that contain personal  
8 information about a veteran or any other person receiving  
9 benefits, or applying for benefits, under laws administered  
10 by the Secretary.

11          “(d) PERSONAL INFORMATION DEFINED.—In this  
12 section, the term ‘personal information’ means one or  
13 more of the following: name, date of birth, address, phone  
14 number, Social Security number, and (if applicable) dis-  
15 ability rating.”.

16          (b) CLERICAL AMENDMENT.—The table of sections  
17 at the beginning of such chapter is amended by inserting  
18 after the item relating to section 5705 the following new  
19 item:

“5706. Unauthorized disclosure of records containing personal information  
about veterans.”.

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